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13 CITY AND COUNTY OF SAN FRANCISCO

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 KAIMIN JIMMY JEN,

17 Case No. CV-15-3834 HSG

18 Plaintiff,

CITY AND COUNTY OF SAN FRANCISCO'S
ADMINISTRATIVE MOTION TO CONTINUE
CASE MANAGEMENT CONFERENCE;
DECLARATION IN SUPPORT;
ORDER

vs.

[UNOPPOSED]

19 CITY AND COUNTY OF SAN
20 FRANCISCO, SAN FRANCISCO, DENNIS
21 HERRERA, RAFAEL TORES-GIL, MIKE
22 KLOSE and DOES 4-50,

[CIVIL LOCAL RULE 6-3]

Defendants.

23 **ADMINISTRATIVE MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE
(UNOPPOSED)**

24 Pursuant to Civil Local Rule 6-3, Defendant City and County of San Francisco ("San
25 Francisco") respectfully moves the Court to continue the case management conference, set for
Tuesday July 19, 2016, at 2 p.m. (per the Court's Order of yesterday, Dkt. No. 29), to a new date of
Tuesday August 2, 2016, at 2 p.m.

26 Mr. Jen does not oppose the motion and has agreed with the request. (Exh. A.) The matters to
27 be addressed under Civil Local Rule 6-3 are addressed in the following declaration of counsel.

28 //

DECLARATION OF PETER J. KEITH REGARDING GOOD CAUSE

I, Peter J. Keith, declare as follows:

1. I am a Deputy City Attorney for the San Francisco City Attorney's Office, counsel of record in this case for defendant City and County of San Francisco. Unless otherwise indicated, I have personal knowledge of the facts set forth below.

2. Yesterday, on July 11, 2016, the Court issued its Order on San Francisco's motion to dismiss and special motion to strike, which were heard on January 21, 2016. Dkt. No. 29. The Court's Order of July 11, 2016 also set a case management conference for Tuesday July 19, 2016 at 2 p.m. *Id.*

3. Good cause for continuance of the case management conference exists, in that I have a pre-existing calendar conflict on Tuesday July 19. On the following Tuesday July 26 at 2 p.m., I have another pre-existing calendar conflict; furthermore, the Court's scheduling notes on the Northern District website indicates that the Court is not setting hearings on that date. I am available on August 2 at 2 p.m.

4. Mr. Jen has agreed to the requested continuance. A true and correct copy of Mr. Jen's email agreeing to the request is attached as Exhibit A.

5. There has been no previous request to continue this case management conference. The only prior request to modify a schedule in this case was when San Francisco requested two additional days to file its reply brief, after Mr. Jen's opposition brief was filed late. Dkt. No. 20.

6. The requested continuance is not expected to affect any other deadline in the case.

I declare under penalty of perjury of the laws of the United States and of California that the foregoing is true and correct. Executed this 12th day of July 2016, in San Francisco, California.

/s/ Peter J. Keith
PETER J. KEITH

[continued on following page]

CONCLUSION

For the foregoing reasons, San Francisco respectfully requests that the Court continue the case management conference from July 19, 2016 at 2 p.m. to August 2, 2016 at 2 p.m.

Dated: July 12, 2016

DENNIS J. HERRERA
City Attorney
CHERYL ADAMS
Chief Trial Deputy
PETER J. KEITH
Deputy City Attorney

By: /s/ Peter J. Keith
PETER J. KEITH

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

ORDER

Based on the above unopposed motion and good cause appearing, the Court ORDERS that the case management conference currently set for Tuesday July 19, 2016, at 2 p.m. is continued to Tuesday August 2, 2016, at 2 p.m.

IT IS SO ORDERED.

Dated: July 15, 2016


THE HONORABLE HAYWOOD S. GILLIAM JR.
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, SOPHIA GARCIA, declare as follows:

I am a citizen of the United States, over the age of eighteen years and not a party to the above-entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

On July 12, 2016, I served the following document:

**CITY AND COUNTY OF SAN FRANCISCO'S ADMINISTRATIVE MOTION TO
CONTINUE CASE MANAGEMENT CONFERENCE;
DECLARATION IN SUPPORT;
[PROPOSED] ORDER**

[UNOPPOSED]

[CIVIL LOCAL RULE 6-3]

on the following persons at the locations specified:

Kaimin Jimmy Jen
450 Taraval Street, #129
San Francisco, CA 94116
Telephone: 415-688-0256
Email: deltadesign5138@gmail.com

in the manner indicated below:

BY UNITED STATES MAIL: Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service that same day.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed July 12, 2016, at San Francisco, California.

/s/ Sophia Garcia
SOPHIA GARCIA